

REMARKS

This Application has been carefully reviewed in light of the Official Action mailed April 4, 2005. In order to advance prosecution of the present Application, Claims 1-8 have been amended and Claims 17-20 have been added. Applicant respectfully requests reconsideration and favorable action in this Application.

The Abstract stands objected to for including the Title of the Application. The Abstract has been amended to remove the Title therefrom. Attached herewith for the Examiner's convenience is a clean Abstract sheet incorporating the changes therein. Applicant respectfully submits that the Abstract is in accordance with M.P.E.P. §608.01(b).

Claims 1-16 stand rejected under 35 U.S.C. §102(b) as being anticipated by Izawa, et al. Applicant respectfully traverses this rejection.

Independent Claims 1, 3, 5, and 7 recite ". . . the Final Payload Count Valid field indicating whether or not the payload section includes a Final Payload Count field, the Final Payload Count field indicating an amount of data placed in the payload section . . ." By contrast, the Izawa, et al. patent does not include any disclosure as to an option for a payload section to include or not include a specific field let alone any indicator as to whether or not the payload section includes the specific field as provided by the claimed invention. Support for the above recitation can be found at page 5, lines 1-7, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1-8 are not anticipated by the Izawa, et al. patent.

Independent Claims 9-16 recite in general a frame comprising a first header section and a first payload section associated with the first header section, a second header

section and a second payload section associated with the second header section, and a trailer section. By contrast, the Izawa, et al. patent merely shows that the header, payload, and trailer sections of an L3-PDU can be placed into the payload of multiple L2-PDUs. There is no type of packet data unit disclosed in the Izawa, et al. patent that includes two header sections and two payload sections as provided by the claimed invention. Therefore, Applicant respectfully submits that Claims 9-16 are not anticipated by the Izawa, et al. patent.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,
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